

REMARKS

Applicants wish to thank the Examiner for considering the present application. In the Final Office Action dated April 4, 2008, Claims 1 and 3-22 are pending in the application. Applicants respectfully request the Examiner for reconsideration of the rejection of Claims 1 and 3-22.

Rejection Under 35 U.S.C. § 112

Claims 1, 9 and 20-21 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants have amended claims 1, 20 and 21 to clarify that the plurality of panels each has a different field of view. The term “substantially” was used to denote that some overlap may be present between the panels. However, a different field of view even with some overlap is provided. Therefore, the independent claims were amended to clarify that each panel has a different field of view.

Claim 9 was amended to clarify that the modular elements for each of the plurality of panels covers the same field of view. That is, the beams that are formed by the elements for a particular panel are capable of illuminating the same field of view. This is a distinction to the main claim which states the panels have a different field of view. Thus, in total each of the panels has a different field of view and each of the elements within a respective panel may have the same view according to claim 9.

Applicants respectfully submit that the Section 112 rejections have now been overcome.

Rejection Under 35 U.S.C. § 103

Claims 1, 3-12, 14 and 20-22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gross (U.S. Pat. No. 6,556,809) in view of Murray (U.S. Patent No. 5,666,128). This rejection is respectfully traversed.

Claim 1 recites a base station having an adaptive antenna with a plurality of panels. Claim 1 has been amended to recite that the plurality of panels are arranged to have different fields of view.

The Examiner points to the Murray reference (column 4, lines 39-40) for a plurality of panels of an adaptive antenna. While more than one panel is illustrated, it appears that the fields of view of the panels are the same. Claim 1 and the other independent claims have been amended to clarify that the adaptive antenna has a plurality of panels that are arranged to have different fields of view. As can be seen in Figure 2A of the present application, each of the panels has a different field of view. Some overlap may occur on the edges so that continuous tracking of the mobile terminals may be performed.

Claims 3-12, 14 and 20-22 are also believed to be allowable for at least the same reasons set forth above.

Claim 13 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Gross in view of Murray as applied to claim 1 above, and further in view of Kasperkovitz (U.S. Patent No. 4,631,499). This rejection is respectfully traversed.

Claim 13 depends from claim 1 and is believed to be allowable for at least the same reasons set forth above with respect to claim 1.

Claims 15-17 and 19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Gross in view of Murray as applied to claim 1 above, and further in view of Agee (U.S. Pub. 20060128276A). This rejection is respectfully traversed.

Claims 15-17 and 19 each depend from claim 1. The Agee reference also does not teach or suggest the elements missing from claim 1 described above. Therefore, applicants believe that these claims are believed to be allowable for the same reasons.

Claim 18 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Gross in view of Murray as applied to claim 1 above, and further in view of Janc (U.S. Patent No. 4,893,316) and further in view of Sayegh (U.S. Pub. 20060084541A). This rejection is respectfully traversed.

Claim 18 depends from claim 1. The Sayegh reference also does not teach or suggest the elements missing in the Gross and Murray references described above. Therefore, claim 18 is believed to be allowable for at least the same reasons set forth above.

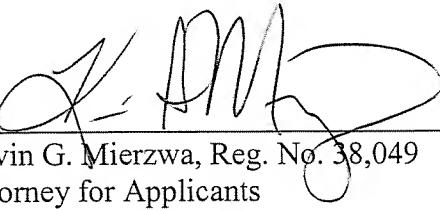
CONCLUSION

In light of the amendments and remarks above, Applicants submit that all rejections are now overcome. The application is now in condition for allowance and expeditious notice thereof is earnestly solicited. Should the Examiner have any questions or comments which would place the application in better condition for allowance, the Examiner is respectfully requested to call the undersigned attorney.

Should any fees be associated with this submission, please charge Deposit Account 50-0383.

Respectfully submitted,

By:


Kevin G. Mierzwa, Reg. No. 38,049
Attorney for Applicants

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The DIRECTV Group, Inc.
2230 East Imperial Highway
P.O. Box 956
El Segundo, CA 90245
Telephone: (310) 964-0735
Facsimile: (310) 964-0941